

the body to adopt the amendment to the committee amendments. Thank you, Mr. President,

PRESIDENT: Thank you. Senator Landis, then Senator Scofield.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, I'm looking at the two amendments that are vying for the same topic, and, by the way, regardless of what happens today I think we have had some profit by the time that has been spent between Monday and today. The proposals are clearer, they are more sharply drawn, we have a limited number of them and it seems to me that we have refined our thinking between Monday and today regardless of what happens on these amendments, and for that purpose I would congratulate both parties. It may be that the Hall amendment and the Scofield amendment are in actions exactly the same, but if you read them it indicates that the defense attorney has the opportunity to evaluate the child in the Hall amendment. It is the court who orders the independent examination in the Scofield amendment, and what I assume this means is that there is an independent examination by a professional psychiatrist chosen by the court. If that is the process that both of these amendments contemplate, it really makes no difference into which one you choose. If, however, there is a distinction in the Hall amendment that the defense attorney selects the psychiatrist with the court's approval, then my guess is that there is a difference between the two because the Scofield amendment pretty clearly indicates that the court will choose the psychiatrist and may order the examination if the court wishes to do so. In the Hall amendment it indicates the defense shall have the opportunity and seems to take away the court's discretion in ordering a psychiatrist. So in order to help me discern those two, I'd like to ask Senator Hall a question or two if I might. Senator Hall, just for my information, if the defense makes the request under your amendment, must the court grant the independent evaluation?

SENATOR HALL: Yes.

SENATOR LANDIS: Secondly, under your language, would you anticipate that the court would have their own choice of the psychiatrist or would they rule upon a choice that had been selected by the defense?

SENATOR HALL: It would be a choice selected by the defense, but, Senator Landis, I would be willing to insert language here